

2007 DRAFTING REQUEST

Bill

Received: **11/19/2007**

Received By: **bbalinsk**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Fitzgerald (608) 266-5660**

By/Representing: **Kimber Liedl**

This file may be shown to any legislator: **NO**

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Sen.Fitzgerald@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Military memorial signs for highways and bridges.

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	bbalinsk 12/17/2007	kfollett 12/19/2007					
/P1			rschluet 12/19/2007		sbasford 12/19/2007		
/1	bbalinsk 12/21/2007	kfollett 01/02/2008	pgreensl 01/03/2008		cduerst 01/03/2008 lparisi 01/03/2008	cduerst 01/03/2008	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For: N/A

<END>

After further review it has
been decided that this bill
should require a fiscal estimate.



Per CMH → Oked by Drafter, SRM
& Senator Fitzgerald's
office



1 FE request
submitted to DOA
02-27-2008

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resubmitted for
jacketing buttons
per Kimber's
request -

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PG
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/?	bbalinsk	1P11gf 12/19					
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FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

11-5-07

Kimber Jan. Scott Fitzgerald's office
266-5660

- Military Hwy Signs

- correct ^{the} memorial signs.① upkeep - all ^{the} military signs to be paid
for by DOT- all ^{the} future new ^{military memorial} signs to be
paid for by DOT + Nat
donations.

Balinsky, Brett

From: Liedl, Kimberly
Sent: Tuesday, December 11, 2007 10:45 AM
To: Balinsky, Brett
Subject: RE: Military memorial highways and bridges draft request, LRB 07-3488

Hi, Brett, thanks for the info. I talked to Scott about it, and he wants to have the bill apply to just state highways and bridges, not local ones.
Thanks for the help,
Kimber

From: Balinsky, Brett
Sent: Tuesday, December 11, 2007 10:12 AM
To: Liedl, Kimberly
Subject: RE: Military memorial highways and bridges draft request, LRB 07-3488

Hi Kimber,

I inquired with our other transportation drafter, Aaron Gary, and it does appear that the Veterans Memorial Bridge designated by s. 84.1024 is the only local highway or bridge that has been designated a military memorial highway or bridge.

Brett

From: Liedl, Kimberly
Sent: Monday, December 10, 2007 3:31 PM
To: Balinsky, Brett
Subject: RE: Military memorial highways and bridges draft request, LRB 07-3488

Hi, Brett,
Do you know how many memorials there are for state highways and bridges compared to local highways and bridges? Scott would like to see the number first before deciding whether to have the bill directed at just state highways/bridge memorials or whether to expand it to local ones as well.
Thanks,
Kimber
Office of Senator Scott Fitzgerald

From: Balinsky, Brett
Sent: Monday, December 10, 2007 3:05 PM
To: Liedl, Kimberly
Subject: Military memorial highways and bridges draft request, LRB 07-3488

Hi Kimber,

Do you want this bill to apply to all military memorial highways and bridges, both state and local, or just to state highways and bridges?

Thanks.

Brett A. Balinsky
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7380
brett.balinsky@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-3488/??

BAB:...

1/11
JF

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SOON IN 12/17/07

Gen

D-NOTE

1 AN ACT ...; relating to: markers for military memorial highways and bridges.

Analysis by the Legislative Reference Bureau

Under current law, certain highway routes and bridges have been designated and marked to memorialize, commemorate, or recognize certain individuals, groups, or events. Certain highways and bridges may only be marked as memorial highways and bridges by the Department of Transportation (DOT) if interested parties donate sufficient contributions to cover the costs of erecting and maintaining the memorial markers.

This bill requires DOT to bear the cost of erecting and maintaining markers for all military memorial highways and bridges on state trunk highways.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 84.101 of the statutes is created to read:

3 **84.101 Military memorial highways and bridges.** (1) The department
4 shall bear the cost of erecting markers that designate any state trunk highway or
5 bridge on the state trunk highway system as a memorial that is associated with the
6 armed forces or any branch or unit of the armed forces, any specific soldier or soldiers,

1 any armed forces award or honor, or any war or armed conflict, or that is otherwise
2 military in nature.

3 (2) The department shall maintain all markers that designate any state trunk
4 highway or bridge on the state trunk highway system as a memorial that is
5 associated with the armed forces or any branch or unit of the armed forces, any
6 specific soldier or soldiers, any armed forces award or honor, or any war or armed
7 conflict, or that is otherwise military in nature, and, notwithstanding ss. 84.1031 (2),
8 84.1034 (2), 84.1036 (2), 84.1039 (2), and 84.1041 (2), the department shall bear the
9 cost of all such maintenance.

10 (END)

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3488/24

BAB:...

Date

ATTN: Kimber Liedl

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. While the draft does require the Department of Transportation (DOT) to cover the costs of erecting and maintaining markers for these military memorial highways and bridges, the impact of the bill may be limited. First, under current law, DOT must bear the cost of erecting and maintaining memorial markers if legislation does not provide otherwise, so this draft simply establishes what is already the default arrangement if proposed legislation does not expressly require funding by contributions. Second, future legislation designating military memorial highways and bridges can create an exception to created s. 84.101, which would circumvent the intent behind this draft. *were*

X
+ For any existing military memorial marker that was created under a statute that prohibits state funds to be used for erecting and maintaining the marker, DOT presumably has collected funds from interested parties that was sufficient both to erect the memorial marker and to maintain the marker. You may wish to consult with DOT to determine if they have a pool of funds for the purpose of maintaining any of such markers and, if so, please advise how you would like to address those moneys in this draft.

X
no change
Additionally, I recommend inquiring of DOT whether there are any military memorial highways or bridges created in chapter 84 that do not yet have a marker because of insufficient funding from interested parties, and if there are any such highways or bridges without markers, please advise whether you would like this draft to require DOT to bear the cost of erecting those markers. If you do not want DOT to pay for the cost of those markers, I can exclude them with an initial applicability provision.

The draft requires DOT to bear the cost of maintaining a number of military memorial markers notwithstanding that the statutes that created the memorials require funding from interested parties for maintenance of those markers. I have included in this group the Citizen Soldier Highway under s. 84.1031. Is this acceptable? Would you also like to require DOT to bear the cost of maintaining the memorial markers for the Wisconsin Fire Fighters-EMT/Citizen Soldier Bridge under s. 84.1028 and the Wisconsin Law Enforcement/Citizen Soldier Bridge under s. 84.1029?

Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3488/P1dn
BAB:kjf:rs

December 19, 2007

ATTN: Kimber Liedl

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. While the draft does require the Department of Transportation (DOT) to cover the costs of erecting and maintaining markers for these military memorial highways and bridges, the impact of the bill may be limited. First, under current law, DOT must bear the cost of erecting and maintaining memorial markers if legislation does not provide otherwise, so this draft simply establishes what is already the default arrangement if proposed legislation does not expressly require funding by contributions. Second, future legislation designating military memorial highways and bridges can create an exception to created s. 84.101, which would circumvent the intent behind this draft.

For any existing military memorial marker that was created under a statute that prohibits state funds to be used for erecting and maintaining the marker, DOT presumably has collected funds from interested parties that were sufficient both to erect the memorial marker and to maintain the marker. You may wish to consult with DOT to determine if they have a pool of funds for the purpose of maintaining any such markers, and if so, please advise how you would like to address those moneys in this draft.

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Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov

12/20/07

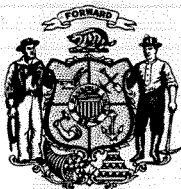
TJef Kimber Lirdl

- Include 2 other citizen-soldier
bridges - D-NOTE

- Dave Vics @ DOT told her about
funding issue for maintaining these
signs so not likely that DOT has
any funds targeted for maintenance
- She'll call to confirm

Do a // version

Not an issue for
this draft



State of Wisconsin
2007 - 2008 LEGISLATURE

1/2
LRB-3488/PA

BAB:kjf:rs

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 12/21/07

SOON

Regen

- 1 AN ACT *to create* 84.101 of the statutes; **relating to:** markers for military
2 memorial highways and bridges.

Analysis by the Legislative Reference Bureau

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2 any armed forces award or honor, or any war or armed conflict, or that is otherwise
3 military in nature.

4 (2) The department shall maintain all markers that designate any state trunk
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8 conflict, or that is otherwise military in nature, and, notwithstanding ss. 84.1031 (2),
9 84.1034 (2), 84.1036 (2), 84.1039 (2), and 84.1041 (2), the department shall bear the
10 cost of all such maintenance.

11 (END)

Duerst, Christina

From: Liedl, Kimberly
Sent: Thursday, January 03, 2008 1:12 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-3488/1 Topic: Military memorial signs for highways and bridges.

Please Jacket LRB 07-3488/1 for the SENATE.